



Comcast Corporation
300 New Jersey Avenue, NW
Suite 700
Washington, DC 20001

February 15, 2013

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: *Modernizing the FCC Form 477 Data Program*, WC Docket 11-10; *Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans*, WC Docket 07-38; *Service Quality, Customer Satisfaction, Infrastructure and Operating Data Gathering*, WC Docket 08-190; *Review of Wireline Competition Bureau Data Practices*, WC Docket 10-132

Dear Ms. Dortch:

On February 13, 2013, Michael Ruger, David Don and the undersigned of Comcast Corporation ("Comcast") spoke by telephone with Lisa Gelb, Travis Litman, Rodger Woock, Carol Simpson, and Chelsea Fallon of the Wireline Competition Bureau and Susan Singer of the Wireless Telecommunications Bureau. The purpose of the call was to discuss further proposed changes to the FCC Form 477 under consideration.

Staff discussed the possibility of including on the Form 477 the broadband availability data currently provided by Comcast to the state mapping coordinators on a voluntary basis. We explained that the state mapping coordinators have the obligation to provide broadband availability data for their individual state to the National Telecommunications and Information Administration (NTIA) for inclusion on the National Broadband Map. We discussed the fact that the Form 477 is a mandatory submission and the Commission requires the certification of a corporate officer that, to the best of his/her knowledge, information and belief, all statements of fact contained in the Form 477 are true and correct.¹ Comcast expressed concern that review of a submission of Comcast's nationwide broadband availability data for accuracy sufficient to submit the required certification would be a new and unduly burdensome obligation.

¹ Penalties are associated with failure to comply with the Form 477 reporting requirements. *See* Public Notice, DA11-1992, Enforcement Advisory No. 2011-12, rel. Dec. 16, 2011.

The staff also inquired about Comcast's ability to provide nationwide broadband availability broken out by residential and small and medium business services. Comcast explained that it does not retain information in that format.

Finally the staff indicated that the Commission is considering modifying the speed tiers currently used on the Form 477. Comcast pointed out that the FCC's current Form 477 speed tiers do not align with those used by Comcast in marketing its broadband service. Extraction of the speed data for each customer and accurately assignment of it to the relevant Form 477 speed categories is a complex process. We urged the staff to limit the frequency of changes to Form 477 speed tiers going forward to limit the necessity for additional new code development to map Comcast's speed tiers to those included on the Form 477.

Pursuant to section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), this *ex parte* notification is being filed for inclusion in the public record of the above referenced proceeding.

Respectfully submitted,

/s/ Mary McManus
Mary McManus

cc: Lisa Gelb
Travis Litman
Rodger Woock
Carol Simpson
Chelsea Fallon
Susan Singer